REMARKS

The present response is intended to be fully responsive to all points of objection and/or rejection raised by the Examiner and is believed to place the application in condition for allowance. Favorable reconsideration and allowance of the application is respectfully requested.

Applicants assert that the present invention is new, non-obvious and useful. Prompt consideration and allowance of the claims is respectfully requested.

Status of Claims

Claims 1 – 52 are pending in the application. Claims 1 - 52 have been rejected. Claims 1 – 52 have been canceled without prejudice or disclaimer. In making this withdrawal without prejudice, Applicants reserve all rights in these claims to reinstate them and/or to file divisional and/or continuation patent applications.

New claims 53 – 75 have been added in order to further define what the Applicants consider to be the invention. Applicants respectfully assert that no new matter has been added.

CLAIM REJECTIONS

35 U.S.C. § 103 Rejections

In the Office Action, the Examiner rejected claims 1 – 9, 11 – 12, 14 – 25, 27 – 28 and 30 – 32 under 35 U.S.C. §103(a), as being unpatentable over Chang (Content-Based Indexing and Retrieval and Visual Information) in view of Oh, et al. (Content-Based Retrieval System for Image Using Human Face Information).

Claims 1 – 9, 11 – 12, 14 – 25, 27 – 28 and 30 – 32 have been cancelled and therefore, this rejection is now moot.

However, in order to move prosecution forward, Applicants note the following:

Chang discusses "... storage, indexing and retrieval of visual information in large archives" (page 45, 2nd column, first paragraph of article). However, as the Examiner noted:

"While Chang discloses the detection and identification of generic visual information, where the visual information grouped and indeed according to the visual information (as shown in Fig. 10), Chang does not expressly call for recognizing faces and indexing according to the recognized faces. However, Oh, et al (Section 1, pages 12 – 14; and Figs. 1 and 2) teaches this feature." (OA, page 3, 1st paragraph)

Oh et al. does discuss face recognition and indexing, but for video signals (i.e. streams of images from a scene). In fact, Figs. 1 and 2 show videos and their annotation according to which face is seen in which images of the video signal. Video signals change little from one image to the next and thus, associating a face in one image with a face in the next image is relatively straightforward.

New claims 53 and 61, however, recite "a group of still images". Still images are known in the art as single images. They are not video images. And neither Chang, nor Oh et al., nor their combination discusses "indexing each said still image of said group of still images according to the faces recognized in said still image." (claim 53). Similar language can be found in claim 61.

In the Office Action, the Examiner rejected claims 10, 13, 26 and 29 under 35 U.S.C. §103(a), as being unpatentable over Chang in view of Oh, et al. above and further in view of Gindele, et al. (US 6,775,407).

Claims 10, 13, 26 and 29 have been cancelled and therefore, this rejection is now moot.

In the Office Action, the Examiner rejected claims 33 – 52 under 35 U.S.C. §103(a), as being unpatentable over Patton et al. (6,408,301).

It is Applicants' understanding that rejection was supposed to be "over Patton et al. (6,408,301) in view of Kim, et al. (6,546,185)" since the Examiner discussed the combination of Patton and Kim, et al. in the third paragraph of item 4.

Claims 33 – 52 have been cancelled and therefore, this rejection is now moot.

However, in order to move prosecution forward, Applicants note the following:

The Examiner stated "Patton does not expressly call for grouping the photographs according to at least the faces of the persons. However, Kim, et al. (item 201, in Fig. 4) teaches this feature." (OA, page 6, lines 11 – 13).

Applicants respectfully note that Kim, et al. describes a "System for Searching a Particular Character in a Motion Picture". As with Oh, et al, the face recognition in Kim et al. is within a video signal. It is not "analyzing said plurality of photographs" as recited in new claim 68 since "photographs" are not video signals.

In view of the foregoing amendments and remarks, the pending claims are deemed to be allowable. Their favorable reconsideration and allowance is respectfully requested.

Should the Examiner have any question or comment as to the form, content or entry of this Amendment, the Examiner is requested to contact the undersigned at the telephone number below. Similarly, if there are any further issues yet to be resolved to advance the prosecution of this application to issue, the Examiner is requested to telephone the undersigned counsel.

Respectfully submitted,

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